



26 OCT 2006

Gary M. Nath
Nath & Associates, PLLC
112 South West Street
Alexandria, VA 22314

In re Application of	:	
COHEN	:	DECISION ON RENEWED
Serial No.: 10/564,357	:	
PCT No.: PCT/IL04/00584	:	PETITION UNDER
Int. Filing Date: 01 July 2004	:	
Priority Date: 15 July 2003	:	37 CFR 1.47(b)
Atty Docket No.: 26886U	:	
For: ROTARY SPRINKLER WITH REDUCED WEAR :	:	

This decision is in response to applicant's renewed petition under 37 CFR 1.47(b) filed 16 August 2006 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 16 June 2006, applicant was mailed a decision dismissing applicant's renewed petition under 37 CFR 1.47(b) to accept the application without the signature of inventor Boaz Cohen. Applicant was afforded two months to file a renewed petition.

On 16 August 2006, applicant filed the renewed petition under 37 CFR 1.47(b) discussed herein.

DISCUSSION

As detailed in the decision mailed 16 June 2006, a petition under 37 CFR 1.47(b) must be accompanied by: (1) the requisite petition fee under 37 CFR 1.17(g); (2) factual proof that the inventor refuses to execute the application or cannot be reached after diligent effort; (3) a statement of the last known address of the non-signing inventor; (4) an oath or declaration executed by the 37 CFR 1.47(b) applicant on behalf of and as an agent for the non-signing inventor; (5) proof of proprietary interest in the application; and, (6) a showing that such action is necessary to preserve the rights of the parties or to prevent irreparable damages. Applicant previously satisfied items (1)-(3) and (5)-(6).

Applicant has presently provided a compliant declaration executed by Koby Millo on behalf of the non-signing inventor and the corporate assignee. The declaration details the relationship of the signing individual to the non-signing inventor and therefore satisfies the provisions of 37 CFR 1.497 (a)-(b). As such, it is proper to grant applicant's renewed petition at this time.

CONCLUSION

For the reasons discussed above, applicant's renewed petition under 37 CFR 1.47(b) is **GRANTED**.

The application has an international filing date of 01 July 2004 under 35 U.S.C. 363, and will be given a date of **16 August 2006** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(c), a notice of the filing of this application will be forwarded to the non-signing inventors at their last known addresses of record. A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the DO/EO/US for processing in accordance with this decision.

A handwritten signature in black ink, appearing to read 'D. A. Putonen', is positioned above the typed name and title.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294
Fax: (571) 273-0459